



Request for City Council Committee Action From the Department of Public Works

Date: September 16, 2003
To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee
Referral to: Honorable Barb Johnson, Chair Ways & Means Committee
Subject: **Authorization to execute an agreement with the Federal Government
transferring ownership of a water main to the City Of Minneapolis**

Recommendation:

That proper city officers be authorized to execute an agreement with the Federal Government that transfers the ownership of a 12-inch water main. This private water main is currently supplying domestic and fire service for the Henry Bishop Whipple Building located in the Fort Snelling area.

Previous Directives:

Prepared by: Adam J. Kramer P.E., Director Water Works 673-2418
Approved by: Klara A. Fabry P.E., City Engineer, Director of Public Works

Klara A. Fabry, P.E., City Engineer, Director of Public Works

Presenters: Adam J. Kramer, P.E.

Financial Impact (Check those that apply)

☒ No financial impact - or - Action is within current department budget.
(If checked, go directly to Background/Supporting Information)

- ☐ Action requires an appropriation increase to the Capital Budget
- ☐ Action requires an appropriation increase to the Operating Budget
- ☐ Action provides increased revenue for appropriation increase
- ☐ Action requires use of contingency or reserves
- ☐ Other financial impact (Explain):

☐ Request provided to the Budget Office when provided to the Committee Coordinator

Background/Supporting Information:

During the development and construction of the Neiman Sports Complex in the Fort Snelling area the Minneapolis Park Board and the other water users in the Fort Snelling area financed

the installation of a 12-inch water main through this area. The water main installation was designed in two phases. Phase one was completed during the construction stage of the complex; phase two is to acquire the 12-inch private service line that supplies Minneapolis water to the GSA Building. By acquiring this private service we maintained the integrity of a continuous 12-inch water main loop throughout this area.

Because this is an existing water main no cost is involved in the transfer. The City of Minneapolis however will be responsible for the maintenance of this line.

Attachment: copy of agreement
Exhibit - A

AN AGREEMENT
BETWEEN
THE CITY OF MINNEAPOLIS
AND
THE UNITED STATES OF AMERICA
THROUGH THE GENERAL SERVICES ADMINISTRATION

WHEREAS, the General Services Administration operates a federal office building known as the Bishop Whipple Building, which is located in an unincorporated area between the City of Minneapolis and the Minneapolis/St. Paul Airport in an area known as the Ft. Snelling campus; and,

WHEREAS, the Minnesota Department of Transportation in association with the Metropolitan Council is constructing a light rail transit line which will pass through federal property and have a stop at the Bishop Whipple Building; and,

WHEREAS, the existence of the LRT line and related construction requires that the twelve (12) inch water main which services the Bishop Whipple Building be relocated; and,

WHEREAS, the City of Minneapolis, in cooperation with the Minneapolis Park Board, is providing general improvements to the water line operated by the City of Minneapolis, Department of Public Works, Waterworks Division, which serves the Youth Athletic Complex on the Ft. Snelling campus and other properties; and,

WHEREAS, the twelve (12) inch water main that has been serving the Bishop Whipple Building can be incorporated into a service loop; and,

WHEREAS, the parties desire to transfer ownership and operation of this twelve (12) inch water main from the General Services Administration to the City of Minneapolis; and,

WHEREAS, the City of Minneapolis will then provide regular water main service to the Bishop Whipple Building at its standard rates for meters located outside of the City and pursuant to its standard policies; and,

WHEREAS, the parties desire to enter into a written agreement.

NOW, THEREFORE, in consideration of the covenants and agreements, hereinafter set forth, the City of Minneapolis and the United States of America acting by and through through the Administrator of General Services agree as follows:

1. The United States of America through the General Services Administration (hereafter GSA) shall convey to the City of Minneapolis for \$1.00 the twelve (12) inch water service line which is connected to the Minneapolis public water system on 46th Avenue South, 235 feet north of the centerline of East 59th Street. This twelve (12) inch water main will become a public twelve (12) inch water main, with a connection point as indicated on the attached Exhibit A.
2. The City of Minneapolis will own and maintain the twelve (12) inch water main following its transfer to the City. GSA will remain responsible for its service connection line up to its connection with the twelve (12) inch water main as indicated on the attached Exhibit A.
3. Following the transfer the City shall provide water service to the GSA at the standard rates charged to government water users based on readings from individual water meters located outside of the City of Minneapolis and shall maintain the water lines consistent with their general maintenance policy for lines with-in the City of Minneapolis. Minneapolis City Ordinances and policies promulgated pursuant to those ordinances shall apply to the provision of water service to the GSA and are hereby incorporated by reference into this Agreement.
4. This agreement is entirely contingent upon the City obtaining easements, permits, or other approvals that the City in its reasonable discretion determines to be sufficient in order to permit the relocation of the line to the area designated by the City. It is anticipated that this will include a permit from the Minnesota Department of Transportation to locate the line in Minnesota Department of Transportation right-of-way, an easement or other rights to allow the line to pass through property controlled by the United States of America through the Secretary of the Air Force, and an easement or other rights necessary to pass through property controlled by the United States of America through the Secretary of the Army.
5. The GSA will fully cooperate with the City of Minneapolis in obtaining any easements or approvals that the City, in its reasonable discretion, determines are required.
6. To the extent reasonably possible, the City of Minneapolis will undertake to minimize any interruption in water flows, during the water line changeovers, on weekdays between 6:30 p.m. and 6:30 a.m.
7. The City of Minneapolis shall complete the relocation of the water line to a location determined by the City and approved by the Minnesota Department of Transportation at its own expense.
8. The City shall consult with the GSA regarding the design of the twelve (12) inch water line to be relocated by the City. The GSA shall approve the design and location of the line to the extent that it is upon Federal property. The GSA shall have fifteen (15) days from time of receipt to review this part of the line and return written comments to the City. If the GSA shall fail to return written comments in fifteen (15) days, that failure will be deemed an approval of the proposed location and design on Federal property.

U.S. GENERAL SERVICES ADMINISTRATION

DAVID HOOD
Assistant Regional Administrator
Great Lakes Region
Public Buildings Service

Date

CITY OF MINNEAPOLIS

BY: _____
MAYOR

COUNTERSIGNED: _____
FINANCE OFFICER

APPROVED AS TO FORM

ASSISTANT CITY ATTORNEY

APPROVED: _____
DEPARTMENT HEAD
MONITORING FOR
THIS CONTRACT
ADAM KRAMER

CMC:kc/mcg03A-00622